



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO.26002 OF 2018 (KLR-RES)

C/W

WRIT PETITION NO.26003 OF 2018 (KLR-RES)

IN WP No. 26002/2018

BETWEEN:

1. SRI. ANANDA M. SHETTY
S/O VAKWADI MANJAYYA SHETTY,
AGED ABOUT 86 YEARS,
R/AT "KIRADY MELMANE"
AVERSE VILLAGE AND POST,
UDUPI TALUK & DISTRICT - 576 231.

...PETITIONER

(BY SRI. C.R. SUBRAMANYA, ADVOCATE)

AND:

Digitally signed by
CHAMA S A
Location: HIGH
COURT OF
KARNATAKA

1. THE ASSISTANT COMMISSIONER
KUNDAPUR SUB-DIVISION,
KUNDAPUR - 576 201.
2. THE DEPUTY COMMISSIONER
UDUPI DISTRICT,
RAJATHADRI,
MANIPAL - 576 231.
3. SHIVARAM SHETTY
S/O LATE KRISHNAMMA SHEDTHI,
AGED :MAJOR,
KIRADI MELMANE,



AVARSE VILLAGE & POST,
UDUPI TALUK - 576 231.

4. PREMAVATHY SHEDTHI
S/O LATE KRISHNAMMA SHEDTHI,
SINCE DECEASED REP. BY LRS.
- 4(a). SRI. SUDHAKARA SHETTY
AGED ABOUT 75 YEARS
FATHER NAME NOT KNOWN
HUSBAND OF LATE PREMAVATHI SHETTY.
- 4(b). SRI. JAYARAMA SHETTY
S/O LATE PREMAVATHI SHETTY
AGED ABOUT 55 YEARS.
- 4(c). SMT. JAYASHREE SHETTY
D/O LATE PREMAVATHI SHETTY
AGED ABOUT 50 YEARS.
- 4(d). SMT. MAMATHA SHETTY
D/O LATE PREMAVATHI SHETTY
AGED ABOUT 48 YEARS.
- 4(e). SMT. VIJAYA KUMAR SHETTY
S/O LATE PREMAVATHI SHETTY
AGED ABOUT 45 YEARS

RESPONDENTS 4(a) TO 4(e) ARE
R/AT KIRADI MELMANE
AVARSE VILLAGE AND POST
UDUPI TALUK AND DISTRICT - 576231.

5. DEVAKI SHEDTHI
S/O LATE KRISHNAMMA SHEDTHI,
AGED ABOUT 71 YEARS
KIRADI MELMANE,
AVARSE VILLAGE & POST,
UDUPI TALUK-576 231.



6. RAVINDRA SHETTY
S/O LATE KRISHNAMMA SHEDTHI,
AGED ABOUT 67 YEARS,
KIRADI MELMANE,
AVARSE VILLAGE & POST,
UDUPI TALUK - 576 231.
7. KARUNAKARA SHETTY
S/O LATE KRISHNAMMA SHEDTHI,
AGED ABOUT 67 YEARS,
KIRADI MELMANE,
AVARSE VILLAGE & POST,
UDUPI TALUK. - 576 231.
8. SAROJINI SHEDTHI
S/O LATE KRISHNAMMA SHEDTHI,
AGED ABOUT 65 YEARS
KIRADI MELMANE,
AVARSE VILLAGE & POST,
UDUPI TALUK-576231.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N., HCGP FOR R1 & R2;
SRI. K. PRASAD HEGDE, ADVOCATE FOR R3 & R6;
R5, R7, R8 R4(a) TO R4(e) ARE SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE ORDER PASSED BY RESPONDENT NO.2 VIDE
ANNEXURE-D IN CASE NO. CDS RAP SR 51/2017 DATED
19.3.2018 VIDE ANNEXURE-D.

IN WP NO. 26003/2018

BETWEEN:

1. SRI. ANANDA M. SHETTY
S/O VAKWADI MANJAYYA SHETTY,
AGED ABOUT 86 YEARS



NC: 2026:KHC:30240
WP No.26002 of 2018
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R/AT KIRADY MELMANE,
AVERSE VILLAGE AND POST,
UDUPI TALUK AND DISTRICT - 576 231.

...PETITIONER

(BY SRI. C.R. SUBRAMANYA, ADVOCATE)

AND:

1. THE ASSISTANT COMMISSIONER
KUNDAPUR SUB DIVISION,
KUNDAPUR - 576 201.
2. THE DEPUTY COMMISSIONER
UDUPI DISTRICT,
RAJATHADRI,
MANIPAL - 576 231.
3. VISHALAKSHI SHEDTHI
SINCE DECEASED REP. BY LRS.
- 3(a). SMT. JAYALAKSHMI @ PRABHAVATHI SHETTY
D/O LATE VISHALAKSHI SHEDTHY
AGED ABOUT 69 YEARS.
- 3(b). SRI. CHANDRASHEKARA SHETTY
S/O LATE VISHALAKSHI SHEDTHY
AGED ABOUT 65 YEARS.
- 3(c). SRI. RAVINDRA @ RAVIRAJA SHETTY
S/O LATE VISHALAKSHI SHEDTHY
AGED ABOUT 63 YEARS.
- 3(d). SRI. KARUNAKARA SHETTY
S/O LATE VISHALAKSHI SHEDTHY
AGED ABOUT 61 YEARS.



- 3(e). SMT. SUMITHRA SHETTY
D/O LATE VISHALAKSHI SHEDTHY
AGED ABOUT 59 YEARS.
- 3(f). SRI. BHASKARA SHETTY
S/O LATE VISHALAKSHI SHEDTHY
AGED ABOUT 57 YEARS.
- 3(g). SMT. BABY @ MALATHI SHETTY
D/O LATE VISHALAKSHI SHEDTHY
AGED ABOUT 55 YEARS.
- 3(h). SRI. SHUBHAKARA SHETTY
D/O LATE VISHALAKSHI SHEDTHY
AGED ABOUT 52 YEARS.
- 3(i). SRI. PRASAD SHETTY
S/O LATE VISHALAKSHI SHEDTHY
AGED ABOUT 69 YEARS.

RESPONDENTS NO.3(a) TO 3(i)
ARE RESIDING AT
VANDARU SUNKADABAGILU MANE
VANDARU VILLAGE AND POST
BRAHMAVARA TALUK
UDUPI DISTRICT - 576 231.

4. SRI. VIJAYA KUMAR SHETTY
S/O SUDHAKARA SHETTY
AGED ABOUT 42 YEARS
R/O KIRADI MALEMANE
AVARSE VILLAGE AND POST
BRAHMAVAR TALUK
UDUPI DISTRICT.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N., HCGP FOR R1 AND R2;
SRI. K. PRASAD HEGDE, ADVOCATE FOR LRS OF R3;
SRI. H. JAYAKARA SHETTY, ADVOCATE FOR R4)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER PASSED BY THE 2ND RESPONDENT VIDE ANNEXURE-D IN CASE NO.CDS RAP SR 50/2017 DATED 19.03.2018.

THESE PETITIONS, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. Heard learned counsel appearing for the parties.
2. In these Writ Petitions, petitioner is assailing the orders dated 19.03.2018 (Annexure-D), in case No. CDS RAP SR 51/2017 and in case No. CDS RAP SR 50/2017, passed by respondent No.2.
3. Having heard learned counsel appearing for the parties, perusal of the Writ Petition papers would indicate that the claim made by the petitioner herein is in terms of the registered Sale Deeds dated 16.01.1965 and 13.01.1976 produced at Annexures - 'A and B', respectively. However, perusal of the impugned order would indicate that, the respondents therein



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have sought to establish right over the properties by producing the order dated 13.05.1976 passed by the Land Tribunal and the registered Sale Deed dated 28.12.1974. Therefore, taking into consideration the lineage of the parties, as parties are claiming right over the properties through common ancestors, and in that view of the matter, it is open for the petitioner herein to establish right over the schedule properties in question, before the competent Civil Court.

4. Accordingly, the Writ Petitions are disposed of.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 7